

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

IN RE: OHIO EXECUTION
PROTOCOL LITIGATION

: Case No. 2:11-cv-1016

- vs -

Chief Judge Edmund A. Sargus, Jr.
: Magistrate Judge Michael R. Merz

This document relates to:
Plaintiff Warren Henness

:

ORDER REGARDING VIDEO TESTIMONY

This case is before the Court on Plaintiff Warren Henness's Motion to Take the Deposition of Steven Hale (ECF No. 2041). The Motion was filed in reaction to Defendants' Motion in limine Regarding Video Testimony of Witnesses (ECF No. 2024).

During the telephone status conference of November 27, 2018, it was confirmed that the only witness thus far designated to be presented by video is Plaintiff's witness Hale. By email of today's date, Defendants have withdrawn their objection to presentation of Hale's testimony by video. Accordingly, the two motions referenced above are DENIED AS MOOT. Defendants reserve their right to object by renewed motion to any other witness designated by Plaintiff to testify by video. The deadline for any designation of a witness to appear remotely (by video or telephone) is December 1, 2018.

November 28, 2018.

s/ *Michael R. Merz*
United States Magistrate Judge